

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE Hunter Williams

Chapter 13

Lakeview Loan Servicing LLC  
Movant

v.

Hunter Williams

Docket: 15-14288elf  
Hearing: 7/28/2016 at 10:00 AM at  
nix1 - courtroom #1

RESPONSE TO MOTION TO LAKEVIEW LOAN SERVICING LLC TO MODIFY  
AUTOMATIC STAY UNDER SECTION 362

1. Admitted.
2. Admitted.
3. Admitted and by way of further response, the Movant failed to notify Debtor mortgagor that the mortgage was assigned; as a result, the Debtor mortgagor continued to faithfully make all mortgage payments when due to the Movant's assignor.
4. Admitted.
5. Denied. No mortgage foreclosure proceeding were pending for the mortgaged premises at the time of the commencement of the Debtor's Chapter 13 case.
6. Denied. Debtor faithfully paid all monthly post payment mortgage payments including those due for the months March 2016 through July 2016. Payments prior to those made in July 2016 were paid to movant's assignor, Ocwen Mortgage. The July mortgage payment was made to Cenlar Mortgage via online payment. The April mortgage installment was made in the amount of

\$688.33 on April 13, 2016, the May mortgage installment was made in the amount of \$688.33 on May 16, 2016, the June mortgage installment was made in the amount of \$688.33 on June 8, 2016.

7. Denied. The mortgage is current. The instant motion was filed in bad faith.
8. Denied. The Debtor is current in his Chapter 13 payments. Movant's claim that a "\$103,751.16" plan payment delinquency is erroneous and irresponsible. The averment was made in bad faith.
9. Admitted and the payment was made.
10. Denied. This is an erroneous conclusion of law.
11. Denied. The Debtor is entitled to counsel fees and costs for the expense of responding to this frivolous motion.

WHEREFORE, Respondent requests that the Court deny the relief requested by Movant mortgage/assignee and enter an order awarding the Debtor the cost of responding including reasonable attorney fees and costs.

Respectfully,

/s/ RICHARD N LIPOW  
RICHARD N LIPOW  
ATTORNEY FOR DEBTOR  
629 SWEDES FORD ROAD  
MALVERN PA 19355

Certificate of Service

The undersigned certifies that the foregoing on the Chapter 13 and US Trustees and creditor's counsel at the time the document was electronically filed by the ECF system.

Respectfully,

/s/ RICHARD N LIPOW  
RICHARD N LIPOW  
ATTORNEY FOR DEBTOR  
629 SWEDESFORD ROAD  
MALVERN PA 19355